

judge exceeded the administrative law judge's jurisdiction in granting or denying the relief requested at the preliminary hearing."

Respondent's contention that claimant is not entitled to temporary total disability compensation or orthopedic medical treatment falls under neither the jurisdictional issues in K.S.A. 1996 Supp. 44-534a nor K.S.A. 1996 Supp. 44-551. The Administrative Law Judge clearly has jurisdiction to order both medical treatment and temporary total disability compensation. Respondent's contention that claimant's psychological problems did not arise from the work-related injury is an issue previously addressed by the Appeals Board. The Appeals Board has continuously held that claimant's entitlement to psychological treatment falls under the issue of the nature and extent of disability rather than whether claimant suffered accidental injury arising out of and in the course of her employment. See Love v. AIFAM Enterprises, Inc., Docket No. 190,944 (September 1996). Therefore, the Appeals Board lacks jurisdiction to review this matter.

WHEREFORE, it is the finding, decision, and order of the Appeals Board that the appeal of the respondent in this matter should be, and is hereby, dismissed, and the preliminary Order of Administrative Law Judge Alvin E. Witwer dated December 12, 1996, remains in full force and effect.

IT IS SO ORDERED.

Dated this ____ day of February 1997.

BOARD MEMBER

c: Timothy J. Pringle, Overland Park, KS
Heather Nye, Kansas City, MO
Office of Administrative Law Judge, Overland Park, KS
Philip S. Harness, Director